

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Executive Office of Mayor Muriel Bowser**



Office of the City Administrator

January 15, 2021

Fiscal Year (FY) 2020 was an unprecedented year for all DC residents, businesses and the District Government. In March 2020—the second quarter of the fiscal year—Mayor Bowser declared a public health emergency and District government quickly pivoted to respond to the COVID-19 global health pandemic. To align with recommended social distancing and public safety guidelines, in just one day, over 60 percent of District government employees transitioned to a telework posture. In addition, many District agencies limited or temporarily ceased most in-person activities and services.

The global health emergency required the District to significantly reallocate financial and personnel resources to respond to the pandemic. With the change in operations and a substantial decrease in revenues, the District's response required all agencies to determine how to best provide services to District residents, visitors and employees, while maintaining the necessary protocols to help slow the spread of COVID-19.

As such, the global health pandemic greatly impacted some agencies' abilities to meet their FY20 key performance indicators (KPIs) and strategic initiatives established prior to its onset as agencies shifted resources to respond to COVID-19. Therefore, outcomes for KPIs and strategic initiatives reflect a shift in District priorities and efforts during this crisis. While we continue to believe strongly in performance tracking to improve District services, the data for FY20 is not fully indicative of agencies' performance and should be reviewed factoring in the unprecedented challenges encountered in FY 2020.

Sincerely,

A handwritten signature in black ink that reads 'Kevin Donahue'.

Kevin Donahue  
Interim City Administrator



# District of Columbia Sentencing Commission FY2020

**Agency** District of Columbia Sentencing Commission

**Agency Code** FZ0

**Fiscal Year** 2020

**Mission** The mission of the District of Columbia Sentencing Commission is to implement, monitor, and support the District's voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research.

**Summary of Services** The Commission advises the District of Columbia on policy matters related to criminal law, sentencing and corrections policy. The Sentencing and Criminal Code Revision Commission Amendment Act of 2007 established a permanent voluntary felony sentencing guidelines and requires the Commission to monitor and make adjustments as needed to promote sentencing policies that limit unwarranted disparity while allowing adequate judicial discretion and proportionality. The sentencing guidelines provide recommended sentences that enhance fairness so that offenders, victims, the community, and all parties will understand the sentence, and sentences will be both more predictable and consistent. The commission provides analysis of sentencing trends and guideline compliance to the public and its representatives to assist in identifying sentencing patterns for felony convictions.

## 2020 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
Development of Fast Facts Sheets	Enables the agency to use its current data system to provide information to both residents and criminal justice partners that highlights sentencing trends for felony offenses.	Fast Facts are intended to serve as an educational tool for District residents by providing an overview of the frequency, the types of sentences imposed and basic defendant demographics for a specific felony offense
MPD Arrest Data Enhancement Project	Expanded the data analysis capabilities of the agency to include the life cycle of a felony offense from arrest through sentencing.	The completion of this project enables District residents to view the life cycle of an arrest for an offense through sentencing, increasing their understanding of the criminal justice process.
Sentencing Guidelines Issue Papers	Since Issue Papers address the more confusing and difficult aspects of the Sentencing Guidelines, a projected decrease in the number of Guideline related questions and errors at sentencing is projected.	By increasing resident's and practitioners understanding of sentencing practices in the District, there is increased transparency regarding the types and lengths of felony sentences imposed under the Guidelines and reduced errors related to the application of the Sentencing Guidelines.

## 2020 Key Performance Indicators

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
<b>1 - Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences. (5 Measures)</b>												
Compliant Departures	Quarterly	91.1%	94.1%	93.8%	93%	85.7%	94.7%	100%	100%	94.3%	Met	
Percent of compliant sentences that represent 11(C)(1)(c) pleas	Quarterly	New in 2019	New in 2019	13.9%	12%	13.6%	15.8%	14.9%	18.3%	15%	Met	
Percent of Compliant Guideline Sentences	Quarterly	96.4%	96.8%	97.1%	96.5%	95.2%	91.4%	95.9%	97.9%	94%	Nearly Met	Given the District's Health Emergency and the limited operating status of the DC Superior Court, the number of cases sentenced decreased drastically. A slightly higher number of non-compliant sentences were imposed given concerns regarding health issues related to incarceration. The overall impact was marginal.
Compliant In-The-Box Sentences Imposed	Quarterly	87.8%	89.9%	90.1%	87.5%	88.9%	91.2%	91.5%	97%	90.6%	Met	
Percent of judicial departure letter responses received	Quarterly	New in 2020	New in 2020	New in 2020	New in 2020	80.6%	82.4%	100%	100%	82.1%	New in 2020	
<b>2 - Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process. (2 Measures)</b>												
Effective Guideline Trainings	Quarterly	90.6%	90.7%	92.9%	83%	80%	90.4%	100%	100%	90.2%	Met	

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
Guideline Questions Answered	Quarterly	98.2%	99.5%	98.6%	98.5%	99.1%	98%	100%	100%	98.9%	Met	
<b>3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarranted disparity in sentences. (2 Measures)</b>												
GRID/GSS tickets resolved within 14 days	Quarterly	74.4%	75.8%	69.6%	68%	75%	66.7%	75%	87.5%	76.3%	Met	
Data Request Response Time	Quarterly	95%	90.9%	91%	76%	88.9%	90.9%	100%	92.3%	92.5%	Met	

## 2020 Workload Measures

Measure	FY 2018 Actual	FY 2019 Actual	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020
<b>1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed (2 Measures)</b>							
Number of Sealed Cases	3026	2485	356	455	275	224	1310
Number of DQA's Identified and Submitted	New in 2020	New in 2020	Annual Measure	Annual Measure	Annual Measure	Annual Measure	97
<b>1 - Review and Verify all Criminal History Scores (1 Measure)</b>							
Requests for Missing Criminal History Scores	New in 2020	New in 2020	48	85	5	6	144
<b>1 - Review and Verify All Felony Sentences (6 Measures)</b>							
Number of CSOSA Criminal History Scores Submitted	2833	2319	335	330	47	82	794
Number of Felony Cases Sentenced	1813	1587	323	263	44	76	706
Number of Felony Counts Sentenced	2316	2070	397	352	49	112	910
Number of Departure Letters Sent	114	165	36	17	1	1	55
Number of Probation Revocations Sentenced	355	375	123	128	78	34	363
Number of sentences imposed as the result of 11(C)(1)(c) pleas	New in 2019	277	Annual Measure	Annual Measure	Annual Measure	Annual Measure	122
<b>2 - Maintain and Update Agency Website (1 Measure)</b>							
Number of Agency Website Hits	19,151	19,451	4268	5047	5628	6210	21,153
<b>2 - Provide Sentencing Guideline Training (3 Measures)</b>							
Number of Sentencing Guideline Trainings Provided	19	15	5	4	3	1	13
Agency Website Updates Completed	43	46	11	20	18	23	72
Number of individuals receiving Sentencing Guideline Training	New in 2019	96	27	54	25	15	121
<b>3 - Monitor and Maintain the Guideline Reporting Information Data (GRID) System (4 Measures)</b>							
Number of GRID Tickets Entered	69	66	9	6	8	6	29
Number of new charge codes mapped in GRID	21	165	19	3	5	7	34
Number Hours required to complete data requests	971	1455	Semi-Annual Measure	Semi-Annual Measure	Semi-Annual Measure	Semi-Annual Measure	657
Number of Critical GRID Tickets Submitted	New in 2020	New in 2020	Annual Measure	Annual Measure	Annual Measure	Annual Measure	14
<b>3 - Respond to Data Requests (2 Measures)</b>							
Number of Data Requests Received	47	67	16	11	7	13	47
Data Sets Provided	New in 2020	New in 2020	3	4	4	7	18

## 2020 Operations

Operations Header	Operations Title	Operations Description	Type of Operations
<b>1 - Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences. (3 Activities)</b>			

Operations Header	Operations Title	Operations Description	Type of Operations
SENTENCING GUIDELINE MONITORING	Identify Irregularities and Inconsistencies in Felony Sentences Imposed	Review sentencing data received from the D.C. Superior Court to identify data quality issues to be resolved; identify sentences that are outside the recommended guideline sentence; and identify emerging sentencing trends that may require review by the Commission and potential policy modifications.	Daily Service
SENTENCING GUIDELINE MONITORING	Review and Verify All Felony Sentences	Review and verify each felony sentence imposed by the D.C. Superior Court is accurate, legal; and complete. Once the verification process is completed, calculate whether the sentence imposed matches the recommended guideline sentence in an accurate and timely manner.	Daily Service
SENTENCING GUIDELINE MONITORING	Review and Verify all Criminal History Scores	A individual's prior convictions are provided by CSOSA and used to calculate a defendant's criminal history scores. If criminal history information is missing or inaccurate, CSOSA is contacted to provide the accurate information so that compliance can be calculated for each felony count sentenced.	Daily Service
<b>2 - Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process. (5 Activities)</b>			
SENTENCING GUIDELINES TRAINING	Provide Sentencing Guideline Training	Provide Sentencing Guideline training to criminal justice professional that will increase their understanding of sentencing practices under the Guidelines and ensure proper application of the Guidelines thus reducing potential sentencing errors.	Daily Service
SENTENCING GUIDELINES TRAINING	Maintain and Update Agency Website	Update the agency's website with "Guideline Alerts" to ensure the public and criminal justice community are notified of changes to sentencing policy or practices under the sentencing guidelines. Monthly update training and other guideline related materials to ensure public access to accurate and timely information about sentencing in the District of Columbia.	Daily Service
SENTENCING GUIDELINES TRAINING	Respond to Guideline Questions	On an ongoing basis the agency responds to questions from a number of sources including, Court Services and Offender Supervision Agency, judges, attorneys, and the public regarding criminal history scoring, sentence options, and offense rankings. Responding to these questions in an accurate and timely manner avoids procedural delays and ensure that the parties understand the sentencing options available under the Sentencing Guidelines.	Daily Service
SENTENCING GUIDELINE MONITORING	Public Access to Sentencing Data	Provide a yearly data set on the agency's website to allow researchers and the public direct access to felony sentencing related data in the District.	Key Project
SENTENCING GUIDELINES TRAINING	Increase public outreach and education regarding the Sentencing Guidelines	Prior Guideline training and outreach has previously been focused on criminal justice partners and professionals. An Guideline outreach and education strategy will be developed and implement targeting residents and community based organization to increase their understanding of the purpose, function, and impact of the Guidelines on felony sentences imposed in the District.	Key Project
<b>3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarranted disparity in sentences. (3 Activities)</b>			
POLICY REPORTS AND PROPOSALS	Respond to Data Requests	Effectively and efficiently respond to data requests from legislators, criminal justice professionals, and the public by providing accurate and timely sentencing information.	Daily Service
SENTENCING GUIDELINE MONITORING	Monitor and Maintain the Guideline Reporting Information Data (GRID) System	Monitor and maintain the data analysis module of the agency's GRID system used to identify and evaluate sentencing trends throughout the year to inform the development of effective sentencing policy for the District. Technical and operational issues identified will be reported to the vendor for resolution within 14 days.	Daily Service
Sentencing Guideline Monitoring	MPD Arrest Data Enhancement Project	GRID, the agency's data system, will be enhanced to consume MPD arrest data in addition to the court and criminal history data for all felony offenders sentenced in the District. With the inclusion of electronically transferred arrest data, the agency will be able to follow an individual from time of arrest through sentencing. This enhancement will expand analysis capabilities related to sentencing trends by geographic areas, offense type, and other variables.	Key Project

## 2020 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
<b>Increase public outreach and education regarding the Sentencing Guidelines (2 Strategic initiatives)</b>				
Fast Facts - DC Felony Offenses	The agency will develop quarterly Fast Fact sheets focused on a single felony offense. The Fast Fact sheets will be one page in length and provide an overview of the frequency of sentences imposed, types and lengths of sentences, offender demographic information, and any significant sentencing trends indicated for a specific offense. By developing a very concise and quickly reviewed offense analysis, the public is able to learn about the how frequently certain offenses are sentenced in the District; the types of sentence imposed, and any emerging trends. Issue papers will be completed in December, March, June, and September of FY 2020	Complete	During FY20, the agency developed and released four Fast Facts sheets for the following felony offenses: Assault with Intent to Kill' Adult Sex Offenses, Robbery, and Armed Robbery.	
Guideline Outreach and Educational Strategy	Information regarding the purpose, structure, and outcome of felony sentences imposed has previously been provided to criminal justice practitioners. This initiative will develop a specific strategy to inform the general public about how the Sentencing Guidelines operate and the factors impacting sentences imposed to create a better understanding of why sentences can vary for single offense. The Commission will identify the key objectives of the strategy by December 1, 2019. A strategy utilizing a multi faceted approach including print, social media, and presentations will be developed and approved by the Commission by February 1, 2020, focusing on sentencing for violent and gun-related offenses. Implementation of the strategy to citizens and community organizations will occur between February 15, 2020 and September 30, 2020 and will include at a minimum two public presentations about the Sentencing Guidelines. One of the presentation will be in Ward 7 or Ward 8.	50-74%	Due to the District's Health Emergency and competing agency priorities, this initiative was not completed.	Due to the District's Health Emergency, the agency was unable to undertake the two community presentations initially planned. Given competing agency priorities, the virtual community presentation were started but have not been completed. It is the agency's intention to complete those presentations within the first two quarters of FY 2021

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
<b>MPD Arrest Data Enhancement Project (1 Strategic Initiative)</b>				
MPD Arrest Data Feed Enhancement Project	The agency will enhance the current GRID system by developing an XML arrest data interface that will transfer arrest data from the Metropolitan Police Department to the Commission, which will be then integrated with felony case information provided by the DC Superior Court and CSOSA to create a complete comprehensive felony case record from arrest through sentencing. This multi-stage project will include: (1) identifying the data system technical requirements and business needs to be completed by December 1, 2019; (2) developing and implementing an XML interface to transfer arrest data into GRID by January 30, 2020; (3) integrating arrest data into the GRID system by July 1, 2020; and (4) testing and move to full production by September 20, 2020.	Complete	Although there was a slight delay to the beginning of this project, all development was completed by the end of the fiscal year. The MPD arrest data project is currently in final pre-production testing and verification with a scheduled Go Live date of November 17, 2020.	
<b>Provide Sentencing Guideline Training (1 Strategic Initiative)</b>				
Sentencing Guideline Issue Papers	Issue Papers will focus on identifying, explaining or clarifying a single complex or confusing aspect of the Sentencing Guidelines for professionals and practitioners. Issue paper topics will be selected from Guideline questions which the Commission are asked to address most frequently. In a three-four page document, the issue will be identified and explained in detail, using examples to help the reader better understand the complexity of the issue. Issue papers are aimed at reducing errors in the application of the Guidelines and can also serve as a quick reference to practitioners, reducing staff resources required to answer questions. Issue papers will be completed semi-annually in March and September and posted on the agency's website	Complete	The final Issue Paper released focused on the role Misdemeanor Offenses play in the calculation of a defendant's criminal history score. The criminal history score is one of the two key variables in determining the sentence length and time under the Sentencing Guidelines	
<b>Review and Verify All Felony Sentences (1 Strategic Initiative)</b>				
Quarterly Data Quality Assurance Report	Develop a Data Quality Assurance (DQA) quarterly report that includes the (1) the type of data quality issue; (2) the frequency of the data quality error; (3) the data owner agency; (4) date DQA was submitted, and (5) the date the DQA was resolved. The DQA report will enable the agency to identify re-occurring data quality issues and work with the data owner agency to correct the data in a timely manner to ensure analysis completed by the Commission is accurate. The report format will be completed and approved by November 1, 2019. DQA reports will be completed at the end of each quarter of the fiscal year, with a cumulative yearly report completed by September 30, 2020.	Complete	The agency receives sentencing and offender criminal history information from the DC Superior Court and CSOSA. This data is used to make policy decisions regarding the Guidelines, as well as for numerous analysis and reports. Ensuring the data received is both accurate and reliable is critical to the validity of these analyses. By identifying and resolving data quality issues the accuracy of all analysis is improved.	